



## State of Utah

### Department of Natural Resources

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*Executive Director*

### Division of Oil, Gas & Mining

JOHN R. BAZA  
*Division Director*

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*Lieutenant Governor*

July 26, 2006

CERTIFIED RETURN RECEIPT  
7004 2510 0004 1824 4936

Alex Boulton  
Brush Resources, Inc.  
P.O. Box 815  
Delta, Utah 84624

Subject: Third Review of Notice of Intention to Commence Large Mining Operations, Brush Resources, Inc., Topaz Mine, M/023/003, Task ID# 1389, Juab County, Utah

Dear Mr. Boulton:

The Division has completed a review of your response for the Topaz Mine, received April 26, 2006. After reviewing the information, the Division has the following comments which need to be addressed before approval.

The comments are listed below under the applicable Minerals Rule heading. Please format your response in a similar fashion and address only those items requested in the attached technical review. Send replacement pages of the original notice **using redline and strikeout text** and indicate how these are to be incorporated into the current approved plan using the attached Form-MR-REV-att. After the notice is determined technically complete you will be asked to send us two clean copies; one copy will be returned.

If you have any questions please contact me, 538-5258, or Tom Munson, 538-5321. If you wish to meet and discuss this review, please contact us at your earliest convenience. Thank you for your cooperation in completing this permitting action.

Sincerely,

Susan M. White  
Mining Program Coordinator  
Minerals Regulatory Program

SMW:tm:jb  
Attachment: Review, Form MR-REV-att  
P:\GROUPS\MINERALS\WP\M023-Juab\M0230003-Topaz-brush\final\07102006-3rd-REV.doc

## **SECOND REVIEW OF NOTICE OF INTENTION TO COMMENCE LARGE MINING OPERATIONS**

**Brush Resources, Inc.  
Topaz Mine**

**M/023/003  
July 26, 2006**

### **R647-4-110 - Reclamation Plan**

- 110.2 Roads, highwalls, slopes, drainages, pits, etc., reclaimed  
The submittal refers to a table and map located in Appendix 6.  
The Division was unable to find an Appendix 6 in the recent or past responses. Please submit this map and table. (DJ)

Figures 6A – 10 is referred to this section.

Nowhere in your submittals are the indicated Figures. Please review this statement and make the appropriate corrections. (DJ)

In the latest submittal an Appendix 9 was included. This appendix contained a fracture study for the Fluro and Rainbow Pits. Mr. Bayer has included a summary of these stability studies. The Division feels that to use the fracture studies to be indicative of fractures found in the six other pits to be mined is definitely a broad interpretation. The ultimate responsibility for the demonstration of highwall stability will be borne by the operator. (DJ)

- 110.5 Revegetation planting program  
In a discussion of the revegetation success standard, the plan mentions “. . . relatively uniform germination of multiple plant types . . .”. The species that would be used in judging whether germination and establishment was adequate should be adaptable perennial species. The Division suggests modifying the quoted phrase to state, “. . . relatively uniform germination of multiple plant types dominated by adaptable perennial species that support the postmining land use . . .”. (PBB)

### **R647-4-113 - Surety**

Please submit a draft surety for the Division's review. (DJ)